

REMARKS

Claims 1-24 are pending in this application. By this Amendment, claim 1 is amended and claims 22-24 are added. No new matter is added by these amendments. Reconsideration of the application based on the above amendments and the following remarks is respectfully requested.

The Office Action rejects claims 1-12 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,924,594 to Ogura et al. (hereinafter "Ogura"). The rejection is respectfully traversed.

Independent claim 1 is amended to recite a second electrode having a first surface that includes an inorganic oxide, as supported by paragraph [0043] of Applicant's disclosure. Additionally, claim 1 is amended to recite a barrier layer having a second surface that includes an inorganic compound, as supported by paragraph [0043] of Applicant's disclosure. The applied reference of Ogura does not teach the particular features.

Instead, Ogura teaches the cathode 208 is made of MgAg and the protective electrode 209 is made of Ag. The cathode and electrode do not include an inorganic oxide.

The barrier film 210 and the absorption film 211 are not a "second electrode" because the barrier film is an insulating material as taught by Ogura, col. 7, lines 40-47.

Applicant respectfully submits that the Office Action fails to assert a *prima facie* case of anticipation, with the applied prior art reference, for at least the failure to show a second electrode including an inorganic oxide.

For at least the above reasons, Ogura can not reasonably be considered to teach, or even to have suggested, the combinations of all of the features recited in at least independent claim 1. Further, claims 2-12 are also neither taught, nor would they have been suggested, by the applied prior art reference for at least the respective dependence of these claims on

allowable independent claim 1, as well as for the separately patentable subject matter that each of the claims recites.

Accordingly, reconsideration and withdrawal of the rejection of the subject matter of claims 1-12 under 35 U.S.C. §102(e) as being anticipated by Ogura are respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO:ETS/dxc

Attachment:
Request for Continued Examination

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